

Amendments to the Claims:

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1. (Currently amended) An isolated protein polypeptide comprising a member selected from the group consisting of:
(a) a polypeptide of at least 20 contiguous amino acids from the polypeptide selected from the group consisting of SEQ ID NOS: 2 or 4;
(b) a polypeptide selected from the group consisting of SEQ ID NOS: 2 or 4;
(c) a polypeptide an amino acid sequence having at least 70% 80% sequence identity to, and having at least one linear epitope in common with, a polypeptide reference sequence selected from the group consisting of SEQ ID NOS: 2 or 4, wherein the percent sequence identity is determined over the entire length of the reference sequence according to by the GAP program using the default settings; and, wherein the amino acid sequence encodes a polypeptide involved in nucleotide excision repair.
(d) a polypeptide encoded by a polynucleotide which selectively hybridizes under stringent hybridization conditions and a wash in 0.1X SSC at 60°C to a polynucleotide selected from the group consisting of SED ID NOS: 1 and 3.
 2. (Currently amended) A recombinant expression cassette, expressing a member polypeptide of claim 1.
 3. (Currently Amended) A non-human host cell comprising the recombinant expression cassette of claim 2 polypeptide of claim 1.
 4. (Currently Amended) A transgenic plant comprising the recombinant expression cassette of claim 2 polypeptide of claim 1.
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5. (Original) The transgenic plant of claim 4, wherein said plant is a monocot or dicot.
6. (Original) The transgenic plant of claim 5, wherein the plant is selected from the group consisting of: maize, soybean, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.

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7. (Currently Amended) A transgenic seed from the transgenic plant of claim 4, wherein the seed comprises the polypeptide.

8 – 74 (Withdrawn)

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- 75⁶⁸* (New) The polypeptide of claim 1, wherein the amino acid sequence has at least 85% sequence identity to SEQ ID NO: 2 or SEQ ID NO: 4.

- Rule 1121*
- 76⁶⁹* (New) The polypeptide of claim 1, wherein the amino acid sequence has at least 90% sequence identity to SEQ ID NO: 2 or SEQ ID NO: 4.

- 77⁷⁰* (New) The polypeptide of claim 1, wherein the amino acid sequence has at least 95% sequence identity to SEQ ID NO: 2 or SEQ ID NO: 4.

- 78⁷¹* (New) The polypeptide of claim 1, wherein the amino acid sequence is SEQ ID NO: 2 or SEQ ID NO: 4.

- 79⁷²* (New) A host cell comprising the polypeptide of claim *78⁷¹*.

- 80⁷³* (New) The cell of claim *79⁷²*, wherein the cell is a plant cell.

- 81⁷⁴* (New) A transgenic plant comprising the polypeptide of claim *81⁷¹*.

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8². (New) The transgenic plant of claim ⁷⁴~~81~~, wherein said plant is a monocot or dicot.

⁷⁶
93 8³. (New) The transgenic plant of claim ⁷⁵~~82~~, wherein the plant is selected from the group consisting of: maize, soybean, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.

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8⁴. (New) A transgenic seed from the transgenic plant of claim ⁷⁴~~81~~, wherein the seed comprises the polypeptide.
